

Serial No.: 10/027,796  
Amendment dated 02 October 2004  
Reply to Office Action mailed 02 July 2004

Docket No.: KCC-16,487

### **REMARKS**

This application has been reconsidered carefully in light of the Office Action dated as mailed on 02 July 2004. A careful reconsideration of the application by the Examiner in light of the above Amendment and the following remarks is respectfully requested. No new matter has been added to the subject U.S. Patent Application by the above Amendment.

#### **Request for Telephone Interview**

Applicants' undersigned attorney requests a telephone interview with the Examiner to discuss the merits of this Patent Application. The undersigned requests this interview if the amendments and arguments are not deemed sufficient to place this Patent Application in condition for allowance. If the Examiner feels the claims are not allowable for any reason, then please telephone the undersigned, Eric T. Krischke, at 847-490-1400.

#### **Amendments to the Claims**

Applicants have amended independent Claim 5 to require the limitations that the side seam connects *an inner surface of* an edge portion of the first side panel to *an inner surface of* an edge portion of the second side panel; and the ribbon cover having a first edge portion bonded to *an outer surface of* the first side panel and a second edge portion bonded to *an outer surface of* the second side panel. Independent

Serial No.: 10/027,796  
Amendment dated 02 October 2004  
Reply to Office Action mailed 02 July 2004

Docket No.: KCC-16,487

Claims 15, 38 and 39 have been similarly amended. Additionally, independent Claims 5, 38 and 39 have been amended to require that *the edge portion of the second side panel folded flat with respect to an outer surface of the second side panel*. These amendments are fully supported throughout the specification, for example at page 27, line 14 through page 29, line 2; page 30, line 3 through page 32, line 4; and Figs. 4B, 6B and 10.

Claim 12 has been canceled accordingly. Claims 2-8, 13, 15-18, 38 and 39 remain in the U.S. Patent Application.

#### **Amendments to the Drawings**

Applicants have amended Figs. 6B and 10 to overcome the Examiner's objections to the drawings as set forth in paragraph 2 of the Office Action.

In Fig. 6B, bond 86 was revised to extend from front distal edge 68a to back distal edge 68b.

In Fig. 10, bond 86 was revised to extend from front distal edge 68a to back distal edge 68b. Element reference number 88 was deleted.

#### **Drawing Objections**

The Examiner objected to the drawings filed with the Amendment on 17 May 2004. The Examiner alleges that Figs. 6B and 10 are not consistent with page 31, lines 18-20, i.e. bond 86 should be shown extending from 68a to 68b, not as

Serial No.: 10/027,796  
Amendment dated 02 October 2004  
Reply to Office Action mailed 02 July 2004

Docket No.: KCC-16,487

shown. Additionally, the Examiner alleges that element reference number 88 should be deleted from Fig. 10. Applicants have amended Figs. 6B and 10 as suggested by the Examiner. Thus, Applicants respectfully request withdrawal of this objection.

### **Specification Objection**

The Examiner objected to the specification and/or Figs. 6B and 10 because element reference number 88 appeared in Figs. 6B and 10 but not in the specification. Applicants have deleted element reference number 88 from Figs. 6B and 10. Thus, Applicants respectfully request withdrawal of this objection.

### **Claim Rejections - 35 U.S.C. § 102(b)**

Claims 2, 3, 5-8, 12, 15, 18, 38 and 39 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,603,123 ("Chupa"). Applicants respectfully traverse this rejection, particularly in view of the above Amendment and the following remarks.

Each of amended independent Claims 5, 15, 38 and 39 requires at least one side seam connecting an inner surface of an edge portion of a first or front side panel to an inner surface of an edge portion of a second or back side panel. Further, each of independent Claims 5 and 15 requires the limitation that the a first edge portion of the ribbon cover is bonded to an outer surface of a first or front side panel

and a second edge portion of the ribbon cover is bonded to an outer surface of a second or back side panel.

Chupa discloses that conventional trousers, as shown in Fig. 1, normally have seams 12, 14, 16 and 18 that are stitched or sewn together. The application and/or removal of conventional trousers requires a substantial amount of leg dexterity. Therefore, in order to allow a person having some sort of leg dysfunctionality to easily apply and/or remove the trousers, the Chupa invention modifies the conventional trouser by removing the thread from the entire length of the seam to separate the trouser portions. The conventional seam is replaced with removably attachable “mating” members, preferably press-together-to-secure type closure means such as VELCRO closure means. See Chupa at Col. 3, lines 1-43.

Chupa does not disclose a side seam connecting an inner surface of an edge portion of a first or front side panel to an inner surface of an edge portion of a second or back side panel, as required by Applicants’ claimed invention. See Chupa Figs. 10-13. Further, Chupa does not disclose a first edge portion of a ribbon cover bonded to an outer surface of a first or front side panel and a second edge portion of the ribbon cover is bonded to an outer surface of a second or back side panel, as required by Applicants’ claimed invention. Rather, Chupa discloses that material 214 can be added to portion 30 and material 216 can be added to portion 32. However,

Serial No.: 10/027,796  
Amendment dated 02 October 2004  
Reply to Office Action mailed 02 July 2004

Docket No.: KCC-16,487

neither material 214 or 216 is bonded to each garment portion 30 and 32, otherwise, garment portions 30 and 32 could not be separated by disengaging closure means 36 and 38. See Chupa Figs. 2, 5, 6, and 9.

Applicants believe that the above Amendment and remarks overcome the Examiner rejection of Claims 2, 3, 5-8, 12, 15, 18, 38 and 39 under 35 U.S.C. § 102(b) as being anticipated by Chupa. Applicants respectfully request withdrawal of this rejection.

Claims 2-8, 12, 38 and 39 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,753,182 ("Blackburn"). This rejection is respectfully traversed, particularly in view of the above Amendment and the following remarks.

Each of amended independent Claims 5, 38 and 39 requires a side seam connecting an inner surface of an edge portion of a first side panel to an inner surface of an edge portion of a second side panel, wherein the edge portion of the second side panel is folded flat with respect to an outer surface of the second side panel. Further, independent Claim 5 requires a first edge portion of the ribbon cover bonded to an outer surface of the first side panel and a second edge portion of the ribbon cover bonded to an outer surface of the second side panel. Independent Claims 38 and 39 require that the ribbon cover is connected to an outer surface of the garment.

Serial No.: 10/027,796  
Amendment dated 02 October 2004  
Reply to Office Action mailed 02 July 2004

Docket No.: KCC-16,487

Blackburn discloses a liquid penetration-resistant seam assembly for a hazardous material suit. As shown in Fig. 1, Blackburn does not disclose a side seam connecting an inner surface of an edge portion of a first side panel to an inner surface of an edge portion of a second side panel, *the edge portion of the second side panel folded flat with respect to an outer surface of the second side panel*, as required by Applicants' claimed invention. Further, Blackburn does not disclose a first edge portion of a ribbon cover bonded to an outer surface of a first side panel and a second edge portion of the ribbon cover is bonded to an outer surface of a second side panel, as required by Applicants' claimed invention. Rather, Blackburn discloses a side seam comprising panel margins 20 and 22 being "outwardly lappingly aligned" with an inner surface of the panel margins secured to one another with a sewn binding 24 (similar to the conventional side seam shown in Applicants' Fig. 4A), and a liquid penetration-resistant tape 38 extending along the seam line and joined to the inner surface of the panels. See Blackburn Fig. 1.

Applicants believe that the above Amendment and remarks overcome the Examiner rejection of Claims 2-8, 12, 38 and 39 under 35 U.S.C. § 102(b) as being anticipated by Blackburn. Applicants respectfully request withdrawal of this rejection.

Serial No.: 10/027,796  
Amendment dated 02 October 2004  
Reply to Office Action mailed 02 July 2004

Docket No.: KCC-16,487

**Claim Rejections - 35 U.S.C. § 103(a)**

Claims 13, 16 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chupa in view of U.S. Patent 5,635,290 ("Stopper et al."). This rejection is respectfully traversed, particularly in view of the above Amendment and the following remarks.

Claim 13 depends from and further limits independent Claim 5, which Applicants believe is patentable for at least the reasons presented above. Claims 16 and 17 depend from and further limit independent Claim 15, which Applicants believe is patentable for at least the reasons presented above. Applicants respectfully request withdrawal of this rejection.

Serial No.: 10/027,796  
Amendment dated 02 October 2004  
Reply to Office Action mailed 02 July 2004

Docket No.: KCC-16,487

### **Conclusion**

It is believed that the above Amendment places all pending claims in condition for allowance and notification to that effect is solicited. However, should the Examiner detect any remaining issue or have any question, the Examiner is kindly requested to contact the undersigned, preferably by telephone, in an effort to expedite examination of this Patent Application.

Respectfully submitted,



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Attachments



Serial No.: 10/027,796

Docket No.: KCC-16,487

Amendment dated 02 October 2004

Reply to Office Action mailed 02 July 2004

### **Amendments to the Drawings**

The attached sheets of drawings include changes to Figs. 6B and 10.

Attachment: Replacement Sheets